

**DECLARATION AND POWER OF ATTORNEY  
FOR ORIGINAL U.S. PATENT APPLICATION**

Attorney's Docket No. **VELCP025**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND APPARATUS FOR INITIALIZING MODEM COMMUNICATIONS** the specification of which,

(check one)

1. ☒ is attached hereto.
2. ☐ was filed on \_\_\_\_\_ as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

**Prior Foreign Application(s)**

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<hr/>	<hr/>	<hr/>	Priority Benefits Claimed?
(Application No.)	(Country)	(Filing Date)	Yes ___ No ___
<hr/>	<hr/>	<hr/>	Yes ___ No ___
(Application No.)	(Country)	(Filing Date)	

**Provisional Application(s)**

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/267,893</u>	<u>February 9, 2001</u>
(Application No.)	(Filing Date)
<hr/>	<hr/>
(Application No.)	(Filing Date)
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(Application No.)	(Filing Date)

20071536 020800

### Prior U.S. Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
(Application No.)                      (Filing Date)                      (Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application No.)                      (Filing Date)                      (Status - patented, pending, abandoned)

### Power of Attorney

And I hereby appoint Charles C. Cary, Reg. No. 36, 764 and Robert H. Kelly, Reg. No. 33,922, all of the law firm of **CARY & KELLY, LLP**, 1875 Charleston Road, Mountain View, California, 94043, and all practitioners who are associated with this firm as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

### Direct Correspondence To:

**Customer Number 28436**

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### Direct Telephone Calls To:

**Charles C. Cary at telephone number (650) 533.4844**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby grant the above appointed attorneys the right to insert the U.S. Patent Application number, filing date and amendment date where space is provided above at any time subsequent to the date of the inventor's signature below.

Typewritten Full Name of  
Sole or First Inventor: Sam HEIDARI                      Citizenship: IRAN

**Inventor's signature:** \_\_\_\_\_ **Date of Signature:** \_\_\_\_\_

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Inventor (if any): Mazen M. SHIHABI                      Citizenship: US

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**Date of Signature:**

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Inventor (if any):

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**Inventor's signature:**

**Date of Signature:**

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